



## Legislation Details (With Board Report)

**File #:** ZA 18-073      **Name:**

**Type:** Zoning Administrator      **Status:** Agenda Ready

**File created:** 11/27/2018      **In control:** County of Monterey Zoning Administrator

**On agenda:** 12/6/2018      **Final action:**

**Title:** PLN160392 - MOUNTFORD PAUL  
Public hearing to consider remodel of an existing 3,757 square foot single family dwelling, portions of which are eligible as an historic resource, and within 750 feet of known archaeological resources.  
Project Location: 151 Highlands Drive, Carmel, Carmel Area Land Use Plan  
Proposed CEQA Action: Categorically exempt per Section 15301(e)(1) of the CEQA Guidelines

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - Vicinity Map, 5. Exhibit D - Carmel Highlands LUAC 6-18-18, 6. Exhibit E - Reports, 7. Exhibit F - Colors and Materials, 8. RESza\_18-064\_PLN160392\_120618

Date	Ver.	Action By	Action	Result
12/6/2018	1	County of Monterey Zoning Administrator		

**PLN160392 - MOUNTFORD PAUL**

Public hearing to consider remodel of an existing 3,757 square foot single family dwelling, portions of which are eligible as an historic resource, and within 750 feet of known archaeological resources.

**Project Location:** 151 Highlands Drive, Carmel, Carmel Area Land Use Plan

**Proposed CEQA Action:** Categorically exempt per Section 15301(e)(1) of the CEQA Guidelines

RECOMMENDATION:

Staff recommends the Zoning Administrator adopt a Resolution to:

- 1) Find the project is an addition to an existing structure that qualifies as a Class 1 Categorical Exemption pursuant to Section 15301(e)(1) of the CEQA Guidelines; and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines; and
- 2) Approve a Combined Development Permit consisting of:
  - a) A Coastal Administrative Permit and Design Approval to allow the demolition of a 272 square foot deck and 136 linear feet of retaining walls, remodel of 1,933 square feet, addition of 1,426 square feet, and new roofing; and associated grading; and
  - b) Coastal Administrative Permit to allow development within 750 feet of a known archaeological resource.

The attached resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends that the Zoning Administrator adopt the resolution approving PLN160392 subject to 16 conditions of approval.

PROJECT INFORMATION:

**Agent:** Carla Hashimoto, c/o Eric Miller Architects

**Property Owner:** Paul Mountford

**APN:** 241-181-010-000

**Parcel Size:** 0.5 acre

**Zoning:** "LDR/1-D(CZ)" (Low Density Residential with maximum gross density of 1 acre per unit with a

Design Control Overlay in the Coastal Zone)

**Plan Area:** Carmel Area Land Use Plan

**Flagged and Staked:** yes

## SUMMARY

The subject parcel is located in Carmel Highlands adjacent to the property developed with the Tickle Pink Inn east of Highway 1. The existing home conforms to the topography of the terraced hillside on which the property is located. This multi-level construction along with the combination of contemporary Arts and Crafts movement and revival styles of architecture lend the residence the characteristics that make it eligible as an historic resource. Staff worked with the applicant through the planning process to modify the project proposal to maintain compatibility between the existing residential use and the preservation of character defining features that convey the site's historical value. This compatibility is in direct alignment with the Secretary of the Interior's Standards for Rehabilitation, the only treatment from *The Secretary of the Interior's Standards for the Treatment of Historic Properties* that allows alterations and construction of a new addition for new or continuing use of an historic resource. The house is legal non-conforming as to setback on the southeast side and the garage is legal non-conforming as to front setback. No alterations to the legal non-conforming setbacks are proposed. The remodel is proposed to expand the existing 3,757 square foot floor area of the home to 5,028 square feet.

## DISCUSSION:

### *Background*

The application that was first submitted 26 September 2017 had included a request for a Variance on a portion of the building that exists as legal non-conforming for side setback. Staff worked with the applicant to redesign the project proposal that could maintain the legal non-conforming side setback in accordance with Chapter 20.68 - Legal Nonconforming Uses of the Monterey County Code (MCC). The applicant changed the scope of work eliminating the need for a Variance. These revised plans were submitted 19 October 2018 reflecting the change.

### *Project Proposal*

The applicant has requested a permit to allow the remodel of the existing single family residence and detached garage. The scope of the addition would include the following:

- Demolition of approximately 427 square feet;
- Additions to:
  - First floor of 894 square feet;
  - Second floor of 457 square feet; and
  - Attic of 75 square feet
- Remodel to:
  - First floor of 470 square feet;
  - Second floor of 1,170 square feet; and
  - Attic of 285 square feet
- Exterior improvements: decks, patios, stairs, pathways, retaining walls, paving, roofing

The subject application is for a Combined Development Permit. Therefore, the Zoning Administrator (ZA) is the appropriate authority to hear an application for a Combined Development permit pursuant to 20.82.030.A.

### *Archaeological Report*

The subject parcel is within 750 feet of a known archaeological resource and is High status for archaeological sensitivity. Remodel of the single family dwelling includes some ground disturbance deeper than portions of the existing building footprint. In order to ensure the project would be consistent with the Carmel Area LUP Chapter 2.8 for the maintenance and protection of archaeological resources, an Archaeological Assessment was

required pursuant to Policy 2.8.3.2 of the Carmel LUP. The assessment prepared by Gary Breschini (File No. LIB170327) for the proposed development concludes there is no evidence of archaeological resources. Therefore, no archaeological resources would be affected by implementation of the proposed project.

#### *Fire Hazard*

The subject parcel is a State Responsibility Area ranked very high risk for fire hazard. Carmel Area Coastal Implementation Plan (CIP) Policy requires a deed restriction be recorded as notification to potential future owners that states fire hazards exist on the parcel and development may be subject to certain restrictions, and processed in accordance with Section 20.64.280.B of Title 20. Therefore, Condition No.15 requires a deed restriction be recorded that states the following: "The parcel is located in a high fire hazard area and development may be subject to certain restrictions as per section(s) of the Coastal Implementation Plan and per the standards for development of residential property."

#### *Historic Resource*

Provisions of MCC Chapter 18.25 - Preservation of Historic Resources, govern the construction, modifications, and alterations to historic resources for the purpose of cultural and aesthetic benefit to the community. This ordinance requires the Historic Resources Review Board (HRRB) find that a proposed project neither adversely affects the significant architectural features nor the character of historical, architectural, or aesthetic interest or value of the resource; and that in the case of construction of a new improvement, addition, building, or structure, the use and exterior of such improvements will not adversely affect and will be compatible with the use and exterior of existing historical resources and natural features on the subject property. An improvement, natural feature, or site may be designated an historical resource in the County that meets the criteria for listing on the National Register of Historic Places (NRHP), the California Register of Historic Resources (CRHR), or conditions are found to exist from the review criteria listed in Section 18.25.070 of the MCC.

The U.S. Secretary of the Interior implements the National Historic Preservation Act (NHPA) through the provision of guidance for preservation of the nation's historic properties. The HRRB utilizes *The Secretary of the Interior's Standards for the Treatment of Historic Properties* that addresses four treatments: preservation, rehabilitation, restoration, and reconstruction. Each treatment specifies guidelines for best practices, new construction, materials, systems, and analysis for application to a wide variety of historic resource types eligible to be listed in the NRHP including buildings, sites, structures, objects, and districts. The treatment for Rehabilitation was used by the HRRB to determine the appropriateness of the various components of the proposed project.

The existing residence was first constructed circa 1920, precipitating a request for a Phase 1 Historic Report which was prepared by Garrett Root, 20 February 2017. The Phase 1 report indicated the residence is eligible as an historic resource under the NRHP Criterion C, CRHR Criterion 3, and Monterey County Historical Preservation Ordinance Criterion B.3 as an important example of a type and method of construction. Therefore, a Phase 2 Historical report was requested, and subsequently, prepared by Root, 28 August 2017 (File No. LIB170327). The report made recommendations that were implemented by the applicant for the design to better align with the character defining features of the original house design.

The HRRB reviewed the initial project proposal on 2 November 2017 along with Root's Phase 2 Historical Report and continued the project to a date uncertain. The HRRB found the Phase 2 Historical Report by Root inadequate in its analysis of the project proposal. Concerns expressed by the HRRB and the applicant responses are as follows:

- 1) Proposed design dominates the existing residence and overshadows any historic character of the structure.
  - *The applicant revised the architectural design to retain the character-defining features that*

*qualify the property as an eligible historical resource.*

- 2) Phase 2 report did not analyze how the proposed project does or does not conform to the Secretary of the Interior's Standards for Rehabilitation.
  - *The applicant enlisted architectural historian Meg Clovis for preparation of an Addendum to the Phase 2 report which would evaluate proposed changes to the property based on the Secretary of the Interior's Standards for Rehabilitation.*
- 3) Plans needed to illustrate the progression of changes from the originally constructed building to the alterations made over time, up to and including, the current proposal.
  - *The applicant provided elevations in the plan set illustrating the differences between "ORIGINAL", "EXISTING", and "PROPOSED".*

The revised plans addressing these concerns were reviewed on 12 July 2018 by the HRRB which voted in a 6-0 decision to recommend approval of the revised project proposal.

#### *Geotechnical Report Waived by RMA-ES*

Staff requested a Geotechnical Report during the application process. RMA-ES reviewed the project and concluded that a geotechnical report would not be required because the 24 January 2017 preliminary grading plan prepared by Landset Engineers, Inc. includes grading recommendations and a geotechnical inspection schedule. These components assure technical oversight for the project to conform to the recommendations submitted on the grading plan. The application was deemed complete by RMA-ES 22 August 2018.

#### *Tree Protection*

No trees are proposed for removal. However, implementation of the project includes construction near an existing landmark Oak tree. The new kitchen wall is proposed to come within 18 inches of the 29-inch trunk on the southeast side of the house. Therefore, Condition No. 16 requires the Owner/Applicant consult a County-approved arborist or forester for recommendations of Tree and Root Protection for trees located near grading or construction activity.

#### *Comments from Members of the Public*

Staff received phone calls from two members of the public. Brief summaries of the conversations are as follows:

- Michael Kurtow from the Tickle Pink Inn was concerned about next door construction noise disturbing guests at the Inn. Staff relayed that all construction would be required to adhere to the County Noise Control Ordinance (Chapter 10.60).
- Chris Johnson is the owner of the property adjacent to the subject parcel directly to the southeast boundary (upper half). He is concerned about the boundary between their properties at the location of the Variance request. The applicant is no longer requesting a Variance.

#### Design Review:

The proposal includes notable changes to the structure including conversion of the kitchen into the primary entryway; room projection at the former entryway for the new kitchen; expansion of the attic along with the addition of wood framed dormer windows; and room projection south of the laundry room. Proposed colors consist of warm tans, black metal fixtures, brown and brick colors of trim, copper drain gutters, and various beiges and browns in yellow to gray tones. Proposed building materials consist of stucco exteriors, wrought iron fixtures and railings, wood frame windows, Carmel stone, brick chimneys, and concrete shake roof to be consistent with wood shake roofing of the Tudor-revival style. Analysis of the proposed project in the Addendum to Phase 2 Historical report, prepared by Meg Clovis (File No. LIB180244), concludes that these design elements are consistent with The Secretary of the Interior's Standards for Rehabilitation of Historic Properties.

Development Standards for LDR in Coastal Zone

Front Setback (house): 30 feet (min.)  
Side Setback (house): 20 feet (min.)

Rear Setback (house): 20 feet (min.)

Maximum Height (house): 30 feet

Front Setback (garage): 50 feet (min.)

Side Setback (garage): 6 feet on front ½ of property (min.)

Rear Setback (garage): 1 foot (min.)

Maximum Height (garage): 15 feet

Building Site Coverage: 15% max.

Existing and Proposed

70 ft, 10 in (meets)

8 ft, 4 in (LN-C) 20 ft  
(meets)

20 ft (meets)

26 ft (meets)

30 ft (LN-C)

7.5 ft (meets)

72 ft (meets)

12 ft, 6 in (meets)

9.5% (meets)

\***LN-C** Structure is legal non-conforming as to the development standard.

\***meets** Conforms to the development standard.

Staff finds the project, as proposed and conditioned, is appropriate in location, size, configuration, materials, and colors to assure protection of the public viewshed, neighborhood character, and visual integrity in accordance with Section 20.44.010 of Title 20.

CEQA:

Pursuant to §15301(e)(1) of CEQA Guidelines, the project is exempt from environmental review because the addition to existing structures does not exceed 2,500 square feet; and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines.

Review of the project in accordance with §15064.5 of the CEQA Guidelines was required as an eligible historic resource. Criteria from *The Secretary of the Interior's Standards for the Treatment of Historic Properties* was used for CEQA review. No significant impact would occur to this eligible historical resource as analyzed using these criteria. Therefore, no further environmental review is required under CEQA for analysis of impacts to an historical resource.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- Carmel Highlands Fire Protection District
- Bureau of Environmental Health
- RMA-Public Works
- Water Resources Agency
- RMA-Environmental Services
- Carmel Highlands Land Use Advisory Committee

LUAC:

The Carmel Area Land Use Advisory Committee reviewed the project on 18 June 2018 and recommended approval of the project with a 4-0 vote. LUAC members commented as follows:

- Design seems to be compatible with the existing house. There are a lot of complicated pieces.
- Agree with applicant that if the odd-shaped triangular piece of the property was not there, the setback would meet County Standards.

Minutes of the meeting reflect the following comments from non-committee attendees:

- 1) Chris Johnson is concerned about changes to exterior design of the historic house.
- 2) Michael Kurtow (Tickle Pink Hotel representative) is curious to see architects proposed additions to historic residence. No objections.

Prepared by: Jaime Scott Guthrie, AICP Candidate, Associate Planner, ext. 6414

Reviewed by: Brandon Swanson, Planning Services Manager

Approved by: John M. Dugan, FAICP, Deputy Director of Land Use and Community Development

The following attachments are on file with the RMA:

- Exhibit A Project Data Sheet
- Exhibit B Draft Resolution, including:
  - B-1 Plans; and
  - B-2 Draft Conditions of Approval
- Exhibit C Vicinity Map
- Exhibit D Carmel Highlands Land Use Advisory Committee (LUAC) Minutes from meeting 18 June 2018
- Exhibit E Reports:
  - E-1 Phase II Historic Assessment, Garrett Root, Stantec Consulting Services, Inc., 28 August 2017 (LIB170326)
  - E-2 Addendum to Phase Two Report for 151 Highlands Drive, Meg Clovis, 14 April 2018 (LIB180244)
- Exhibit F Colors and Materials

cc: Front Counter Copy; Jacqueline R. Onciano, RMA Chief of Planning; Carla Hashimoto c/o Eric Miller Architects, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN160392.